

M ROBERT KESTENBAUM  
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FEB 2 5 2005

Response Under 37 CFR 1.116  
 Expedited Procedure  
 Examining Group 3739

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: US Patent Application 10/049,934  
 Filed August 16, 2000  
 Applicant Axel Muntermann  
 Art Unit 3739  
 Examiner Michael Peffley  
 Examiner's Phone (703) 308-4305  
 Examiner's Fax (703) 872-9306  
 Attorney Docket (H)02MUN0018USP

Mail Stop Response Art Unit 3739  
 PO Box 1450  
 Commissioner for Patents  
 Washington, DC 20231

**Amendment after Final Action**

Dear Examiner Peffley:

This Amendment after Final Action responds to the Office Action mailed October 25, 2004.

A complete set of claims currently in this application with status indicators is submitted herewith.

Adjustment date: 03/14/2005 LFULTON  
 02/28/2005 EXOL11 00000003 10049934  
 01 FC:1999 -55.00 DP

02/28/2005 EXOL11 00000003 10049934

03/14/2005 LFULTON 00000004 110665 10049934  
 01 FC:2251 5.00 DP 55.00 DP

Muntermann (H)02MUN0018USP 10/049,934  
 Response to Office Action of October 25, 2004

01 FC:1999

55.00 DP

change code

Response Under 37 CFR 1.116

Expedited Procedure

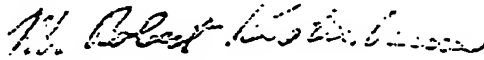
Examining Group 3739

A one-month extension of time in which to respond to the outstanding Office Action is hereby requested.

Credit Card Payment Form PTO-2038 is enclosed to cover the prescribed

Small Entity one-month extension fee of \$55.00.

Respectfully submitted,



M. Robert Kestenbaum

Reg. No. 20,430

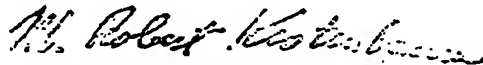
11011 Bermuda Dunes NE

Albuquerque, NM USA 87111

Telephone (505) 323-0771

Facsimile (505) 323-0865

I hereby certify this correspondence is being submitted to Commissioner for Patents,  
Washington, D.C. 20231 by facsimile transmission on February 25, 2005, fax number (703) 872-  
9306.



M. Robert Kestenbaum

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492 (a)(1) - (5)) <b>10,0499</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP00/07942</b>	ATTORNEY'S DOCKET NUMBER <b>(H)02MUN0018USP</b>
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24. The following fees are submitted:

**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :**

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =**
**CALCULATIONS PTO USE ONLY**

Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). ☐ 20 ☐ 30

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	29 - 20 =	9	x \$18.00	\$162.00	
Independent claims	1 - 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	

**TOTAL OF ABOVE CALCULATIONS =**
☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

**SUBTOTAL =**

Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 CFR 1.492 (f)). ☐ 20 ☐ 30 +

**TOTAL NATIONAL FEE =**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐
**TOTAL FEES ENCLOSED =**

Amount to be refunded	\$
charged	\$

- a. ☒ ~~PTO-2038~~ in the amount of **\$526.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **11-0665** A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**

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*M. Robert Kestenbaum*  
SIGNATURE

M. Robert Kestenbaum

NAME

20,430

REGISTRATION NUMBER

February 19, 2002

DATE